

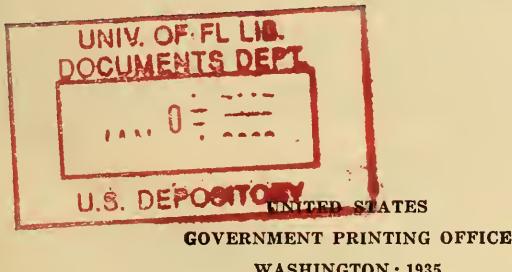
NATIONAL RECOVERY ADMINISTRATION

**AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

INDUSTRIAL
SUPPLIES AND MACHINERY
DISTRIBUTORS' TRADE**

AS APPROVED ON APRIL 30, 1935



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Approved Code No. 61—Amendment No. 3

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

INDUSTRIAL SUPPLIES AND MACHINERY DISTRIBUTORS' TRADE

As Approved on April 30, 1935

ORDER

**APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE
INDUSTRIAL SUPPLIES AND MACHINERY DISTRIBUTORS' TRADE**

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Industrial Supplies and Machinery Distributors' Trade, and Notice of Opportunity to be Heard having been given, and the annexed report on said amendment containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order 6859, dated September 27, 1934, and otherwise, does hereby incorporate, by reference, said annexed report and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policy and purposes of said Title of said Act, and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended, such approval and such amendment to take effect fifteen (15) days from the date hereof, unless good cause to the contrary is shown to the National Industrial Recovery Board before that time and a subsequent order to that effect is issued.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By W. A. HARRIMAN, *Administrative Officer.*

Approval recommended:

HARRY C. CARR,
Division Administrator.

WASHINGTON, D. C.,
April 30, 1935.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on an amendment to the Code of Fair Competition for the Industrial Supplies and Machinery Distributors' Trade. This amendment was proposed in accordance with Article VIII of the Code, approved October 23, 1933, and Notice of Opportunity to be Heard was given November 23 to December 13, 1934.

This amendment is intended to definitely define city, state, and governmental agencies as industrial consumers and to clarify the definition so that there is no question as to the class of products covered by the Code.

FINDINGS

The Deputy Administrator in his final report to the National Industrial Recovery Board on said amendment to said Code having found as herein set forth and on the basis of all the proceedings in this matter:

It finds that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act, including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing purchasing power, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said Title of said Act, including without limitation Subsection (a) of Section 3, Subsection (a) of Section 7, and Subsection (b) of Section 10 thereof.

(c) The Amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(d) The Amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(e) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said Amendment.

For these reasons, this Amendment has been approved.

For the National Industrial Recovery Board:

W. A. HARRIMAN,
Administrative Officer.

APRIL 30, 1935.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE INDUSTRIAL SUPPLIES AND MACHINERY DIS- TRIBUTORS' TRADE

Amend Article II by deleting Section 1 and substituting in lieu thereof, the following:

SECTION 1. The term "Industrial Supplies and Machinery Distributors' Trade", or "trade", as used herein, includes the warehousing, selling, distributing, and/or servicing in conjunction therewith of industrial tools, industrial equipment, and industrial supplies for railroads, ships, boats, mines, mills, factories, and/or for other industrial users, and/or for the Federal Government or for any State, County, Municipality or other public authority, or any of their respective agencies or instrumentalities.

Approved Code No. 61—Amendment No. 3.
Registry No. 1399-1-16.

(3)



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